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LETTER DATED 30 MARCH 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 871 (1993) of 4 October 1993 as well as to my recent reports as contained in documents S/1994/291, S/1994/300 and S/1994/333.

I should like to inform the members of the Security Council that, on 29 March 1994, in Zagreb, representatives of the Government of Croatia and the local Serb authorities in the United Nations Protected Areas (UNPAs) concluded a cease-fire agreement aiming to achieve and assure a lasting cessation of hostilities. The text of the agreement, which was concluded in the presence of the Deputy Foreign Minister of the Russian Federation, Mr. Vitaly Churkin, and the Ambassador of the United States of America to Croatia, Mr. Peter Galbraith, and witnessed by the representatives of the International Conference on the Former Yugoslavia and the Force Commander of the United Nations Protection Force (UNPROFOR), is contained in the annex to the present letter.

The implementation of this cease-fire agreement will involve, inter alia, the interpositioning of UNPROFOR forces in a zone of separation of varying width, the establishment of additional control points, observation posts and patrols, as well as the monitoring of the withdrawal of heavy weapons out of range of the contact line.

The Council may wish to welcome this development, which comes after repeated exhortations in several Security Council resolutions, and to authorize UNPROFOR to perform the functions called for in the agreement.

UNPROFOR has analysed the additional tasks involved and has come to the conclusion that, even after redeploying existing elements in the UNPAs in Croatia and recalling those units recently deployed to Bosnia and Herzegovina in the context of the cease-fire implementation measures there, the Force would be left with a shortfall of eight mechanized infantry companies and five engineer companies.

Of this shortfall, four mechanized infantry companies and one engineer company could be covered from within resources already authorized by the Security Council in its resolution 847 (1993) of 3 June 1993.

I recommend therefore that the authorized strength of UNPROFOR be increased by four mechanized infantry companies (one mechanized infantry battalion of 1,000 all ranks) and four engineer companies (of 600 all ranks). In addition, a helicopter squadron of at least six helicopters with 200 all ranks would be required in order to effectively monitor the provisions of the cease-fire agreement.

I would appreciate it if you could bring these additional requirements to the attention of the members of the Security Council. In the light of the urgency of the above additional requirements and the importance of the cease-fire agreement, I should like to propose that this request be considered in the context of the forthcoming resolution on the overall mandate of UNPROFOR.

(Signed) Boutros BOUTROS-GHALI

Annex

Cease-fire Agreement of 29 March 1994

The parties signing this document agree that all armed hostilities between the parties should end immediately and that a cease-fire on all contact lines existing between the parties on 29 March 1994, hereafter referred to as the Contact Line, should be fully respected from 900 hours, 4 April 1994.

In order to achieve and assure a lasting cessation of hostilities, the parties have agreed to accept and comply with the letter and the spirit of the following paragraphs:

1. All armed hostilities shall end immediately and a cease-fire on the Contact Line will start at 900 hours on 4 April 1994.

2. From the date of the signature of this Agreement, the tactical situation of the forces deployed on the Contact Line and within 10 kilometres of that line in either direction shall be frozen, and no movement of units shall take place within the area so defined except in execution of this Agreement or as authorized in advance by UNPROFOR. Transit through the area by units with more than three vehicles shall be notified to UNPROFOR during the first 14 days after the signature of this Agreement.

3. Not later than 900 hours, 5 April 1994, all indirect fire weapons shall be deployed out of range of the Lines of Separation (as defined in paragraph 4 below): mortars and AA-guns not less than 10 kilometres, artillery and tanks not less than 20 kilometres. As an exception some indirect fire weapons from both parties may be stored inside the 20-kilometre line. This storage of weapons shall be as stated in annex B, "Rules of disengagement", paragraph 4.

4. Not later than 900 hours on 8 April 1994, all units on the Contact Line shall be separated. The separation will be based on a mutual withdrawal not less than 1,000 metres from the Contact Line to their respective line of separation, hereafter called the "Lines of Separation". Those lines will be as drawn on maps, accepted by the parties and attached, as annex D.* Units should be withdrawn as far away as needed to ensure they can not target each other with direct fire weapons. The line to which they redeploy should be easy to define on the ground (preferably a geographic feature, such as a road, river, ridge line, etc.). The area between the lines of separation will be under exclusive control of UNPROFOR and except as provided in this Agreement and annex B there shall be no military, paramilitary, militia or police personnel from any of the parties therein. The parties shall be obliged, however, to assist UNPROFOR with prevention of crime and the maintenance of law and order between the Lines of Separation as stated in annex B, paragraphs 9 and 10.

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* Annex D has not been included in the present document.

5. The cease-fire will be monitored by UNPROFOR and ECMM. UNPROFOR military observers shall be accorded full freedom of movement on both sides of the Lines of Separation in order to confirm that all weapons systems specified in this Agreement are deployed beyond the minimum distances from the Lines of Separation. The freedom of movement in areas described above includes the right to visit military and paramilitary units and facilities with four hours' advance notice. ECMM operating in accordance with its Memorandum of Understanding shall be accorded full freedom of movement on all the territories related to this Memorandum. UNPROFOR, operating according to its mandate, shall be accorded full freedom of movement on all the relevant territories and the same right to visit military and paramilitary units and facilities as described above. The freedom of movement includes the unrestricted use of helicopters in the above-mentioned areas.

6. Joint commissions shall be established at all levels. Their first task will be to determine on the ground the Lines of Separation in accordance with the principles set out in paragraph 4. This is to be achieved by 13 April 1994. Their main mission is to investigate immediately any violation of the cease-fire. The aim of the investigation is to determine responsibility for the violation. The commission investigating the violation will be informed by the party determined to be responsible for the violation about all disciplinary or other action taken in respect of the incident. These commissions shall be established before the cease-fire starts. Each commission shall be chaired by a representative of UNPROFOR who will issue convening orders to parties on its own initiative, or at the request of the parties. Meetings are to commence, with all parties present, as soon as possible after the receipt of the convening orders by the headquarters of the members. Details about membership, meeting places and documentation as agreed upon are to be found in annex B.

7. Should any breach of the cease-fire or other provisions of this Agreement occur, neither party shall retaliate, but shall rely entirely on the procedures foreseen in paragraph 6 above.

8. The participants agree to open a number of crossing points along the Contact Line. These new crossings together with existing crossings are listed in annex A. At all these crossings UNPROFOR will man a checkpoint. Any checkpoints or other positions of the two sides must be established as far away as needed from the United Nations checkpoint to ensure that small arms and heavy machine-gun fire cannot target the UNPROFOR checkpoint. At the UNPROFOR checkpoints facilities will be established to hold meetings of the joint commissions. All crossings shall be opened by no later than three hours after the cease-fire starts.

9. Not later than 900 hours on 19 April 1994, the parties will meet and negotiate the modalities for a reduction of forces in a 10-kilometre zone on either side of the Contact Line. This reduction shall be completed within five days after an agreement has been reached.

Annexes: A. Contact Line crossing points.
B. Rules of disengagement.
C. Agreement on the establishment of joint commissions.
D. Agreed Maps.*

(Signed) H. SARINIC (Signed) D. RAKIC

Witnessed by:

(Signed) K. EIDE (Signed) G. AHRENS

(Signed) B. DE LAPRESLE

Zagreb, 29 March 1994

* Annex D has not been included in the present document.

Annex A to the Cease-fire Agreement of 29 March 1994

CROSSING POINTS

Common name	Location	Sector
Osijek	Approximately 5 km from Osijek on the road to Sarvas	East
Osijek	Approximately 5 km from Osijek on the road to Bilje	East
Vinkovci	Approximately 2 km from Vinkovci on the road to St. Jankovci	East
Vinkovci	On the road to Brsadin	East
Lipovac	On the highway	East
Nova Gradiska	Highway south-west of Nova Gradiska	West
Novska	Highway east of Novska	West
Lipik	Main road south of Lipik	West
Sisak	South of Sisak	North
Turanj	South-east of Karlovac	North
Vojnovac	West of Slunj	North
Glinska Poljana	North-west of Petrinja	North
Brest	North of Petrinja	North
Otocac	South-east of Vrhovine	South
Medak	North-west of Medak	South
Zemunik (D. Zemunik)	Near Zemunik airport	South
Pakovo Selo	On the Drnis-Sibenik road	South

Common name	Location	Sector
Peruca Dam	Along Prolici/Vrlika road	South
Jasenice	East of Jasenica	South

(Signed) H. SARINIC

(Signed) D. RAKIC

Witnessed by:

(Signed) K. EIDE

(Signed) G. AHRENS

(Signed) B. DE LAPRESLE

Zagreb, 29 March 1994

Annex B to the Cease-fire Agreement of 29 March 1994

RULES OF DISENGAGEMENT AND OTHER MATTERS RELATED TO THE CEASE-FIRE AGREEMENT OF 29 MARCH 1994

1. The parties shall provide UNPROFOR with lists stating unit by unit the number of tanks, AA-guns, artillery pieces and other indirect weapons which are to be deployed beyond their maximum range and outside the 10- and 20-kilometre lines. These lists should also state the exact locations with grid references (UTM) to which the weapons will be redeployed.

The parties shall provide UNPROFOR with marked maps and mine-field records for all mine fields within the Lines of Separation; they will remove mines upon request and under supervision of UNPROFOR.

The parties shall provide UNPROFOR with the names of the policemen referred to in paragraph 10 below.

The above information shall be given to the UNPROFOR sector commanders not later than 72 hours after the signing of the Cease-fire Agreement.

2. UNPROFOR will establish temporary control points on the 10- and 20-kilometre lines in accordance with paragraph 3 of the Cease-fire Agreement. All redeploying units and their weapons must pass through and report at such control points.

At these points a Croat or a Serb liaison officer shall be present on their respective side.

3. Paragraph 3 in the Cease-fire Agreement stipulates that "all indirect fire weapons shall be deployed out of range of the Lines of Separation".

This means the maximum range for each weapon as defined in their respective technical manual. No indirect fire weapon will be allowed inside the minimum zone of separation (10 and 20 km) mentioned in the same paragraph.

4. As the only exception from paragraph 3 above, the Croatian Army will be allowed to store indirect fire weapons at Starigrad, Zadar and Sibenik, where they will remain under UNPROFOR supervision. The Serb forces will be allowed to store indirect fire weapons at Beli Manastir, Dalj, Vukovar, Benkovac and Gracac.

5. The lines of separation shall be as drawn on maps by UNPROFOR and accepted by the parties. After separation is completed, these lines may be amended on the ground as proposed by UNPROFOR and accepted by the party concerned. Such a proposal may be based on suggestions from either of the parties.

This will be done by joint commissions, established in accordance with the special agreement on joint commissions (annex C).

6. Where the Contact Line runs through a town or a village the Lines of Separation may be drawn closer than 2 kilometres from each other. They may here be drawn as close as possible but in a way that enables UNPROFOR to interpose between the parties with sufficient safety and which prevents the parties from observing and firing directly at each other. If the parties cannot agree on the location of lines, UNPROFOR has the right to arbitrate and establish these lines. Crossings between the lines inside towns or villages are to be checked or/and blocked by UNPROFOR.

7. Paragraph 5 of the Cease-fire Agreement states that "the freedom of movement in areas described above includes the right to visit military and paramilitary units and facilities with four hours' advance notice".

The areas referred to above extend to a distance from the Lines of Separation that is the same as the maximum range of the longest-range indirect fire weapon redeployed according to the lists mentioned in paragraph 1 above.

8. On 9 April 1994, the parties will begin to lift all mines affecting the deployment of UNPROFOR elements within the area of separation. All such personnel will enter the area unarmed, move under UNPROFOR escort, and clear mines under UNPROFOR supervision. The final removal of mines will begin and be carried out as decided in the joint commissions.

9. Police armed with sidearms only shall be allowed to enter and work in the area between the Lines of Separation under UNPROFOR supervision, in a number agreed by the joint commission at central level and in accordance with rules laid down by the same joint commission.

10. Pending implementation of paragraph 9 above, each side may retain up to 200 individual policemen in such areas between the Lines of Separation as agreed between the side and UNPROFOR. Such policemen shall display sequentially numbered photo identification which shall be issued by UNPROFOR no later than 7 April and shall be armed with sidearms only. No more than 75 policemen shall be deployed in any one sector.

11. The parties agree to ensure the access of bona fide visitors to the Jasenovac cemetery.

(Signed) H. SARINIC

(Signed) D. RAKIC

Witnessed by:

(Signed) K. EIDE

(Signed) G. AHRENS

(Signed) B. DE LAPRESLE

Zagreb, 29 March 1994

Annex C to the Cease-fire Agreement of 29 March 1994

AGREEMENT ON THE ESTABLISHMENT OF JOINT COMMISSIONS

1. The parties signing this document and UNPROFOR agree to establish joint commissions to support the maintenance of the cease-fire agreed between the parties on 29 March 1994.

2. The tasks and guidelines for these commissions are laid down in the Cease-fire Agreement of 29 March 1994 and its annexes. These guidelines do not prevent the joint commissions already in operation from continuing with their present tasks or from dealing with other matters agreed upon by the participants.

3. On the local level joint commissions shall be established before 900 hours on 4 April 1994 at the crossing points UNPROFOR decides, chosen among those listed in annex A to the Cease-fire Agreement.

4. In those local joint commissions the parties may be represented by three members and may each bring their own interpreter. UNPROFOR will be represented by three members and will chair the meetings. UNPROFOR may bring one interpreter. ECMM may be represented with two members.

5. At the sector level UNPROFOR may be represented by three members, including the Chairman, who will be the Sector Commander or the Acting Sector Commander, and may bring one interpreter. The parties may each be represented with three members and may bring one interpreter. ECMM may be represented with two members.

6. At the central level UNPROFOR may be represented by three members, including the Chairman, and may bring one interpreter. The parties may each be represented with three members and may bring one interpreter. ECMM may be represented with two members.

7. The meeting place for sector and central levels shall be decided by UNPROFOR and will usually be one of the crossing points used by local-level joint commissions.

8. At all places where crossing points are established, separation of forces as described in paragraph 8 of the main document must take place immediately.

(Signed) H. SARINIC (Signed) D. RAKIC

Witnessed by:

(Signed) K. EIDE (Signed) G. AHRENS

(Signed) B. DE LAPRESLE

Zagreb, 29 March 1994